

MINUTES

FILED IN THE
UNITED STATES DISTRICT COURT
DISTRICT OF HAWAII

8/17/2006 4:30 pm

SUE BEITIA, CLERK

CASE NUMBER: CR 02-008521DAE
CASE NAME: USA v. Debbie Louise Yxcot
ATTYS FOR PLA: Marshall Silverberg
ATTYS FOR DEFT: William M. Domingo
USPO: Malia Eversole

JUDGE: David Alan Ezra

REPORTER: Cynthia Fazio

DATE: 8/17/2006

TIME: 9:30am-10:00am

COURT ACTION: EP: Sentencing to Count 1 of the Indictment as to Defendant Debbie Louise Yxcot.

Defendant Debbie Louise Yxcot present in custody.

The Memorandum Plea Agreement is accepted.

Presentence Report adopted. Sentencing recommendations heard. Allocution by Defendant Debbie Louise Yxcot.

SENTENCE:

Imprisonment: 38 MONTHS

Supervised Release: 3 YEARS

CONDITIONS:

1. Defendant shall abide by the standard conditions of supervision.
2. Defendant shall not commit any federal, state, or local crimes.
3. Defendant shall not possess illegal controlled substances.
4. Defendant shall cooperate in the collection of DNA as directed by the probation officer.

5. Defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of commencement of supervision and at least two drug tests thereafter, but no more than 8 valid drug tests per month during the term of supervision.
6. Defendant shall not possess a firearm, ammunition, destructive device, or any other dangerous weapon.
7. Defendant shall participate in and comply with substance abuse treatment, which includes drug and alcohol testing in a program approved by the Probation Office. Defendant is to refrain from the possession and/or use of alcohol while participating in substance abuse treatment.
8. The restitution of \$1,146 is due immediately to First Hawaii Bank, and any remaining balance upon release from confinement be paid during the period of supervision on an installment basis according to the collection policy of the Probation Office but at a rate of not less than 10 percent of her monthly gross income. Interest is waived..
9. Defendant shall execute all financial disclosure forms and provide the Probation Office and the Financial Litigation Unit of the U.S. Attorney's Office access to any requested financial information to include submitting to periodic debtor's examinations as directed by the Probation Office.
10. Defendant shall participate in a mental health program, which includes taking all prescribed medication, at the discretion and direction of the Probation Office.
11. Defendant shall comply with the plans and recommendations of the Department of Health, Adult Mental Health Division, Developmental Disabilities Division, and its representatives, at the discretion and direction of the Probation Office.
12. Defendant shall serve up to 6 months community confinement in a community corrections center such as Mahoney Hale following release from imprisonment as arranged by the Probation Office. While serving the term of community confinement, the defendant may obtain employment and/or enroll in an educational program as approved and directed by the Probation Office.
13. Defendant shall submit her person, residence, place of employment, or vehicle to a search conducted by the U.S. Probation Office at a reasonable time and in a reasonable manner, based upon reasonable suspicion of contraband or evidence of a violation of a condition of supervision. Failure to submit to a search may be grounds for revocation. The defendant shall warn any other resident that the premises may be subject to search pursuant to this condition.

14. Without the prior approval of the Probation Office, the defendant shall not enter the “Operation Weed and Seed” target area which is bordered by Lunalilo Freeway, Nuuanu Avenue, Bethel Street, Nimitz Highway, North King Street, Dillingham Boulevard, and Kokea Street, as depicted in the map to be attached to the judgment. Specifically, the defendant shall not visit her mother in the “Operation Weed and Seed” target area without the prior approval of the Probation Office.
15. Defendant may change her residence only with the advance approval of the Probation Office.

Special Assessment: \$100.00.

Defendant advised of her right to appeal.

Defendant remanded to the custody of U.S. Marshals.

Submitted by: Theresa Lam, Courtroom Manager